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GRYN 229-US 10601562

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Benveniste  
Serial No. : 10/563,687  
Filed : January 3, 2006  
For : DIAGNOSTIC TEST  
Art Unit : To be assigned  
Examiner : To be assigned

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Va. 22313-1450

**ADDED PAGE TO DECLARATION FOR SIGNING BY ADMINISTRATOR(RIX),  
EXECUTOR(RIX) OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED  
OR INCAPACITATED INVENTOR (37 C.F.R. § 1.42 AND 1.43)**

Dear Sir:

I, Mr. Laurent Benveniste, hereby declare that I am a citizen of France, residing at 3 rue Larochelle, F-75014 Paris, France and that I am executing and signing the declaration and assignment to which this is attached as the legal representative (or heir) of Jacques BENVENISTE (Deceased), who resided at 14 rue Larochelle, F-75014 Paris, France, having a citizenship of France.

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That, upon information and belief, I aver those facts that the inventor is required to state.

Date: 9 December 2006

Laurent BENVENISTE

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GRYN 229 US (10601562)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
DECLARATION FOR PATENT APPLICATION**

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As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DIAGNOSTIC TEST**

the specification of which was filed on January 3, 2006 as Application No. 10/563,687.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at Fulbright & Jaworski L.L.P., 666 Fifth Avenue, New York, New York 10103, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119

Attorney Docket No.: NY-GRYN 229-US

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing
PCT/EP2004/00924	PC	July 2, 2004
0315512.4	GB	July 2, 2003

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CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☐ no such U.S./PCT applications have been filed.

☒ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing
PCT/EP2004/009242			07/02/2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney Docket No.: NY-GRYN 229-US

I hereby appoint:

All practitioners at Customer Number 024972

all of Fulbright & Jaworski L.L.P., 666 Fifth Avenue, New York, New York 10103, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from **NEUTRACT** as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Please mail all correspondence to C. Andrew Im, whose address is:

Fulbright & Jaworski L.L.P.  
666 Fifth Avenue  
New York, New York 10103

Please direct telephone calls to: C. Andrew Im at (212) 318-3359.

Please direct facsimiles to: (212) 318-3400

Full name of sole or first inventor <b>Jacques BENVENISTE</b>	
Sole or first inventor's signature Signed by legal representative Laurent Benveniste <b>Laurent BENVENISTE</b>	Date <b>December 9, 2006</b>
Residence Paris, France	
Citizenship France	
Mailing Address  14, rue Larochelle F-75014 Paris FRANCE	

Practitioner's Docket No.: GRYN 229

Patent

For: ☒ U.S. and/or ☐ Foreign Rights  
For: ☐ U.S. Application or  
For: ☐ U.S. Provisional Application  
For: ☐ U.S. Patent  
For: ☐ PCT Application  
By: ☐ Administrator(trix) ☐

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Executor(trix)

☐ Legal Representative(s)

**ASSIGNMENT OF INVENTION  
BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX)  
OR LEGAL REPRESENTATIVE(S)**

In consideration of the payment by Assignee to Assignor of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNOR:**

By administrator(trix), executor(trix)  
or legal representative of inventor  
or person who owns the invention:

Laurent Benveniste  
(type or print name(s) of administrator(trix),  
executor(trix) or legal representative(s))

Jacques BENVENISTE

Inventor or person on whose behalf above person(s) are signing  
3 rue Larocheille, F-75014, Paris, France

Address(es) of person(s) signingFrenchNationality(ies) of person(s) signing

(If assignment is on behalf of person to whom invention was previously assigned,  
and this was recorded in PTO, add the following)

Recorded on \_\_\_\_\_ Reel \_\_\_\_\_  
Frame \_\_\_\_\_

hereby sells, assigns and transfers to

**ASSIGNEE:**

NEUTRACT  
(type or print name of Assignee(s))  
3 rue Larocheille, F-75014 Paris, France  
Address

French  
Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

(Assignment of Invention - Administrator(trix), Executor(trix) or Legal Representative(s) [16-3.1] - page 1 of 3)

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(complete one of the following)

☒ the entire right, title and interest☐ an undivided \_\_\_\_\_ percent ( \_\_\_\_\_ %) interest

for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

☐ and in all foreign countries, including all rights to claim priority,in and to any and all improvements which are disclosed in the invention entitled:  
**DIAGNOSTIC TEST**Name of inventor(s) Jacques BENVENISTE

(Check and complete (a), (b), (c), (d), (e), (f), or (g))

and which is found (37 C.F.R. § 3.21)

(a) ☐ U.S. patent application executed on even date herewith(b) ☐ U.S. patent application executed on \_\_\_\_\_(c) ☒ U.S. provisional application naming the above inventor(s) for the above entitled invention☐ Express mail label no. \_\_\_\_\_

Mailed \_\_\_\_\_

☐ To comply with 37 C.F.R. § 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known.(d) ☒ U.S. application no. 107 563 687 filed on Jan 3, 2006(e) ☐ International application no. PCT/ / filed on \_\_\_\_\_(f) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.

(also check (g), if foreign application(s) is(are) also being assigned)

(g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

(Assignment of Invention Administrator(s), Executor(s) or Legal Representative(s) [U.S. 3.1] - page 2 of 3)



ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto, and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

PROOF OF AUTHORITY to act on behalf of the deceased/incapacitated inventor is submitted herewith.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ Date of signing

**WARNING:** The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Date: 9 December 2006

Laurent BENVENISTE

**NOTE:** No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 U.S.C. § 261. Use next page if notarization is desired.

☐ Notarization or legalization Page Added.

(Assignment of Invention Administrator(trix), Executor(trix), or Legal Representative(s) [16-3.1]—page 3 of 3)